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7 Attorneys for Defendants

8 **IN THE UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 HENRY LUJAN, an individual,

11 Plaintiff,

12 vs.

13 GORDON WESLEY THOMAS, an individual;
14 SWIFT TRANSPORTATION COMPANY, an
15 Arizona corporation; SWIFT
16 TRANSPORTATION CO. OF ARIZONA, LLC,
17 a foreign corporation; DOES 1 through 10,
18 inclusive; and ROE CORPORATIONS I through
10, inclusive,

19 Defendants.

CASE NO.: 2:16-CV-02694-RFB-NJK

**STIPULATION AND ORDER TO EXTEND
DISCOVERY**

(FOURTH REQUEST)

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22 IT IS HEREBY STIPULATED AND AGREED, by Defendants and Plaintiff, by and through
23 their undersigned counsel, that discovery be extended 90 days beyond the Discovery Schedule in the
24 Stipulation and Order to Extend Discovery, dated November 21, 2017 (Document No. 31).

25 Per Federal Rules of Civil Procedure 16(b), and Local Rule 26-4 the following is included in
26 support of the proposed 90 day extension to the Discovery Schedule:

- 27 1. Local Rule 26-4(a) Statement: See Exhibit A.
28 2. Local Rule 26-4(b) Statement: See Exhibit B.

- 1 3. Local Rule 26-4(c) Statement: The parties previously agreed to continue discovery to
2 attended mediation with David Wall on January 17, 2018. Unfortunately, the same
3 was unsuccessful and the parties now request deadlines be extended to completed
4 needed discovery. To date, the parties have been able to mutually work together and
5 schedule the depositions of Don Nobis, MPST (March 5, 2018), Dr. Andrew Cash
6 (March 6, 2018), and NHP Trooper Nelson (March 8, 2018). The parties are working
7 together to schedule the remaining depositions within the requested extension
8 deadlines. (See Exhibit B.)
- 9 a) Discovery Cut-Off Dates. The last day to conduct Discovery shall be Thursday, June 7,
10 2018;
- 11 b) Amend Pleadings/Add Parties. Closed.
- 12 c) Initial Experts disclosure deadline. Closed.
- 13 d) Rebuttal Expert Disclosure Deadline. Tuesday, May 8, 2018.
- 14 e) Interim Status Report. Closed. (Filed with the Court on September 25, 2017. Document
15 No. 27.)
- 16 f) Dispositive Motions. The deadline to file dispositive motions will be on or before
17 Thursday, July 5, 2018. This date does not exceed the outside limit of 30 days following
18 the Discovery cut-off date pursuant to Local Rule 26-1(e)(4).
- 19 g) Pre-trial Order. The pre-trial order shall be filed by Thursday, August 2, which is not
20 more than 30 days after the date set for filing dispositive motions. This deadline is
21 suspended if dispositive motions are timely filed until 30 days after decision is rendered
22 or until the Court further orders.

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h) Extensions or Modifications of the Discovery Plan and Scheduling Order. Any stipulation or motion must be made no later than 21 days prior to the deadline to be extended; and must be supported by a showing of good cause for the extension.

DATED this 14th day of February, 2018.

/s/ Bruce Scott Dickinson

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Attorney for Defendants

DATED this 14th day of February, 2018.

/s/ Ralph A. Schwartz

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**ORDER NO FURTHER EXTENSIONS
WILL BE GRANTED.**

It is so ordered Dated: February 14, 2018.



U.S. MAGISTRATE JUDGE